

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES EARL GEORGE,	)	
	)	
Plaintiff,	)	Civil Action No. 08-189
	)	
v.	)	Judge McVerry
	)	Magistrate Judge Bissoon
RICHARD GIGLIOTTI, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

This prisoner civil rights suit was commenced on February 11, 2008, with the filing of a petition to proceed *in forma pauperis*, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The matter was later referred to Magistrate Judge Cathy Bissoon.

The Magistrate Judge filed three Reports and Recommendations, each dated March 4, 2009. The first (Doc. 85) recommended that the Motion to Dismiss filed by Defendant Ulhag (Doc. 38), and the Motion to Dismiss filed by C. H. Adams and Lawrence County Corrections (Doc. 51) both be granted. The second (Doc. 86) recommended that the Renewed Motion to Dismiss filed by Dr. Wilcox (Doc. 45) be granted, that the Motion to Dismiss filed by Defendants Gigliotti and Butler County Prisons (Doc. 52) be granted, and that the Motion to Dismiss filed by Defendants Salopek and Neigh (Doc. 61) be denied. The third (Doc.

87) recommended that the Motion for Summary Judgment filed Defendant DeFazio (Doc. 81) be granted.

Copies of the Reports and Recommendations were sent to the Plaintiff by First Class United States Mail at his place of incarceration, the Butler County Jail. On March 17, 2009, Plaintiff filed a Notice of Change of Address (Doc. 88), wherein Plaintiff states that he has no objection to the recommendations, and that he wishes to proceed to trial against Defendants Salopek and Neigh. The Court will treat the Notice of Change of Address as Plaintiff's "objections" to the Reports and Recommendations.

After de novo review of the pleadings and documents in this case, together with the Reports and Recommendations and the objections thereto, the following order is entered:

AND NOW, this 18<sup>th</sup> day of March, 2009,

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendant Ulhag (Doc. 38), and the Motion to Dismiss filed by C. H. Adams and Lawrence County Corrections (Doc. 51) are GRANTED. Defendants Ulhag, C.H. Adams and Lawrence County Corrections are hereby dismissed from this case. The Magistrate Judge's Report and Recommendation (Doc. 85) is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Renewed Motion to Dismiss filed by Dr. Wilcox (Doc. 45) is GRANTED. The Motion to Dismiss filed by Defendants Gigliotti and Butler County Prisons (Doc. 52)

is also GRANTED, and those Defendants are dismissed from this case. The Motion to Dismiss filed by Defendants Salopek and Neigh (Doc. 61) is DENIED. The Magistrate Judge's Report and Recommendation (Doc. 86) is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendant DeFazio's Motion for Summary Judgment (Doc. 81) is GRANTED. The Magistrate Judge's Report and Recommendation (Doc. 87) is adopted as the Opinion of the Court.

\_\_\_\_\_  
s/Terrence F. McVerry  
Terrence F. McVerry  
U.S. District Court Judge

CC:  
JAMES EARL GEORGE  
HY-4593  
SCI Camp Hill  
Post Office Box 200  
Camp Hill, PA 17001-8837